

SOUTHERN CALIFORNIA



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MEETING AGENDA OF THE

WATER POLICY TASK FORCE

**Thursday, June 8, 2006
10:00 a.m. – 1:00 p.m.**

Meeting Location:

SCAG Offices

818 W. 7th Street, 12th Floor

San Bernardino A&B Conference Rooms

Los Angeles, CA 90017

213.236.1800

If members of the public wish to review the attachments or have any questions on any of the agenda items, please contact Dan Griset at 213.236.1895 or griset@scag.ca.gov.

SCAG, in accordance with the American with Disabilities Act (ADA), will accommodate persons who require a modification of accommodation in order to participate in this meeting. If you require such assistance, please contact SCAG at (213) 236-1868 at least 72 hours in advance of the meeting to enable SCAG to make reasonable arrangements. To request documents related to this document in an alternative format, please contact (213) 236-1868.

WATER POLICY TASK FORCE

Meeting Agenda

June 8, 2006

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1.0 CALL TO ORDER

2.0 PUBLIC COMMENT PERIOD

Members of the public desiring to speak on an agenda item or another item, but within the purview of this Task Force, must notify staff to the Task Force prior to the meeting. At the discretion of the Chair public comments may be limited to three minutes.

3.0 APPROVAL OF MINUTES

Approve the minutes of the January 12, 2006 and June 8, 2006 meeting. (Minutes will be available at the meeting and on the Task Force website:

<http://www.scag.ca.gov/wptf/index.htm>)

4.0 PRESENTATION ITEM FOR THE TASK FORCE

4.1 The Los Angeles River Project: Opportunities and Issues with an Urban River and Flood Control Channel

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A panel of speakers will brief the Task Force on a variety of studies and other efforts related to the Los Angeles River. Currently the City of Los Angeles is developing a programmatic environmental impact report for the revitalization of the River. This effort will keynote briefing and be followed by other projects and professional perspectives.

The panel will include Nancy Sutley (Deputy Mayor of Los Angeles), David Fletcher (consultant to the City), Dan Sulzer (Assistant Chief of Planning, Los Angeles District of the Army Corps of Engineers), Mark Pestrella (Deputy Assistant Director, Los Angeles County Department of Public Works), Arthur Golding, AIA (past President of the Los Angeles and San Gabriel Rivers Watershed Council), and Melanie Winter (Executive Director of the River Project).

4.2 Trash TMDL Update

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A brief report on a recent Supreme Court decision concerning the Los Angeles River Trash TMDL and the requirement for Regional Board to comply with the California Environmental Quality Act.

4.3 Status of Water Bond Proposals

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Kathy Cole, Legislative Representative for Metropolitan Water District in Sacramento, will brief the Task Force on the Flood Protection bond measure recently adopted by the Legislature and approved by the Governor for the November ballot.

Joe Caves, a principal with Conservation Strategy Group and author of a comprehensive water bond initiative that is expected to qualify for the November ballot, will review the provisions of the water supply and water quality measure.

4.4 Task Force Meeting Date

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Consideration of an alternative meeting date for the Task Force.

5.0 CHAIR'S REPORT

6.0 STAFF REPORT

7.0 TASK FORCE INFORMATION SHARING

8.0 COMMENT PERIOD

10.0 ADJOURNMENT

The next Task Force meeting will be held on September 14, 2006 or at another time designated by the Task Force.

**Lunch is sponsored by the
LONG BEACH WATER DEPARTMENT**

MEMORANDUM TO THE WATER POLICY TASK FORCE

June 8, 2006

TO: ***Members of the Water Policy Task Force***

FROM: ***Daniel E. Griset, Project Manager, 213.236.1895, griset@scag.ca.gov***

SUBJECT: ***The Los Angeles River Project: Opportunities and Issues with an Urban River and Flood Control Channel***

RECOMMENDED ACTION:

Receive for future policy consideration.

BACKGROUND:

In recent years the Los Angeles River has taken on new meaning for community and watershed planners. Though the River has been used as a concrete flood control channel and a conduit for wastewater and stormwater discharges to the ocean, new plans are being made to think of the differently. This process is a search for ways to move the River from the “back yard” of Los Angeles and other communities into a different kind of “front yard”.

These planning efforts are challenged by the need to combine current uses with a variety of new ones. Flood protection has been the most prominent role for the River over the past 75 years. This role involves the protection of life and property from those occasional major storms that otherwise would bring devastation to dense urban habitation. Later, with the growth of San Fernando Valley and adjoining communities the discharge of treated wastewater brought other water to the River. Along with these uses, the River was hemmed in by utility and transportation corridors: power lines now co-exist with freeways and train tracks.

With a new “front yard” focus on the River, various organizations are using watershed perspectives to think of ways to protect the River and its water quality, as well as to bring open space and other recreational amenities to the residents of the Los Angeles River watershed. These concepts are aligned with the desires of those who seek greater sustainability in the region’s watersheds, greater public access to open spaces, and more public amenities that combine social benefits. Many have noted that this vision of change for the Los Angeles River collides with formidable obstacles such as the current infrastructure investments and related, entrenched institutional interests.

The panel of speakers reflects a variety of activities all related to the River. The entities include the City of Los Angeles with its Los Angeles River Revitalization Master Plan, The County of Los Angeles with its Los Angeles River Masterplan, the Army Corps of Engineers, the LA River Project with its natural resources preservation and conservation efforts, and the Los Angeles and San Gabriel Rivers Watershed Council with its vision for integrated watershed management.

The Speaker Panel:

Nancy Sutley, Deputy Mayor of Los Angeles (Energy and Environment) and consultant David Fletcher will introduce the City's River Revitalization planning effort. Mark Pestrella, Deputy Assistant Director of Public Works for Los Angeles County will discuss the County's recently completed Los Angeles River Master Plan. Dan Sulzer, Assistant Director of Planning for the Los Angeles Office of the Army Corps of Engineers, will describe the Corps' role in River planning and other actions. Melanie Winter, Director of the River Project, will discuss planning through the prism of the River Project. Arthur Golding, AIA, Past President of the Watershed Council, will comment on River planning in the context of watershed management.

Information about The Los Angeles River Revitalization Master Plan

The City's proposed Master Plan is an outcome of the City Council's AdHoc Committee on the Los Angeles River, a working group led by Councilman Ed Reyes that includes other Councilmembers Eric Garcetti, Wendy Greuel, Tom LaBonge and Jan Perry. As a result of the Ad Hoc River Committee's efforts, and with funding from the Los Angeles Department of Water and Power, the City of Los Angeles' Department of Public Works-Bureau of Engineering issued a Request for Proposals in 2005 for the preparation of a Revitalization Master Plan which would identify proposals that would make the Los Angeles River a "front door" to the City, and support a multitude of civic activities.

The Ad Hoc River Committee established the following broad goals for the Los Angeles River Revitalization Plan:

- Establish environmentally sensitive urban design guidelines, land use guidelines, and development guidelines for the River zone that will create economic development opportunities to enhance and improve River-adjacent communities by providing open space, housing, retail spaces such as restaurants and cafes, educational facilities, and places for other public institutions.
- Improve the environment, enhance water quality, improve water resources, and improve the ecological functioning of the River.
- Provide public access to the River.
- Provide significant recreation space and open space, new trails, and improve natural habitats to support wildlife.
- Preserve and enhance the flood control features of the River.
- Foster a growth in community awareness of the Los Angeles River, and pride in the Los Angeles River.

The 18-month Revitalization planning process will look at improvements along the project area all aimed towards celebrating neighborhoods, protecting wildlife, promoting the health of the river, and leveraging economic development. By the end of the planning process, a 20-year blueprint for development and management of the Los Angeles River will be developed for implementation by the City of Los Angeles.

The Revitalization Master Planning effort began in September 2005. The final Plan is scheduled for completion by January 2007. The City has assembled a consulting team with a mix of disciplines needed for this kind of complex planning: urban design and planning, landscape architecture, master planning, governance alternatives, economic development, economic modeling, environmental analysis, and community outreach.

As part of the revitalization planning effort, the consulting team will also be producing governance proposals, zoning proposals, an economic analysis of the proposed alternatives, and a Programmatic Environmental Impact Report/Environmental Impact Statement.

Guiding Principles for the Master Plan:

The River presents opportunities to revitalize and invest in neighborhoods, to bring nature to people, and to enhance the quality of life for residents. The Plan envisions a renewed Los Angeles River with a continuous greenway of interconnected parks and amenities connecting our communities along the River. This vision will depend on partnerships with communities, businesses, organizations, and other jurisdictions, on coordinating and securing funding, and on strongly advocating for a renewed and healthy river.

The River revitalization intends to integrate multiple objectives, including recreation, parks, storm water management, housing, transportation, economic

development, and more. This approach contemplates stakeholder consensus and these possible features:

- parks, large and small, recreation-oriented and nature-oriented,
- walking paths and promenades,
- bicycling trails for recreation and transportation,
- gathering spaces,
- public art and community markers to enhance sense of place,
- restaurants, cafes, and other appropriate businesses,
- mixed-use areas integrating parks, housing, retail, jobs, schools and other public institutions, and
- other compatible uses.

1. Encourage Community participation and Consensus

Diverse communities, neighborhoods, local residents, businesses, community groups, young, elderly, and a broad range of governmental agencies are all stakeholders and must be involved to ensure successful projects. River projects should be shaped through consensus.

2. Enhance Connections, and Linkages

River projects should not be done in isolation, but should connect well with nearby communities. Planning for river projects should not consider merely the river channel itself, but communities in a wider corridor. Planning and projects should include open and natural space, transportation, housing, jobs, business, community development, art, and other amenities.

3. Increase access

Residents who visit and enjoy river amenities will care about the long-term health of the river. River projects should be welcoming to the public. Public access should be enhanced through environmentally sensitive design and planning.

4. Foster Economic Development

A revitalized river corridor is a local and regional destination; and as such can contribute to the economic vitality of the city and the region. River projects should encourage and enhance appropriate sustainable economic development, adding value to underutilized areas and communities.

5. Support Multiple Purposes

Our river serves many purposes, including: flood protection, recreation, open space, habitat, groundwater recharge, water quality, and more. River projects should enhance multiple beneficial uses, and integrate multiple objectives.

6. Improve Coordination between Departments and Jurisdictions

Multi-objective projects require effective coordination. Diverse City departments should communicate and coordinate with each other, the public, and other jurisdictions.

7. Restore Nature

The LA River is a unique regional ecological resource. Its revitalization should enhance and restore the river's nature, and should acknowledge the interconnectedness of the watershed from the mountains to the sea. Where feasible, habitat, floodwater detention, groundwater recharge, water quality, and other natural processes should be enhanced.

8. Maintain and Enhance Flood Protection

River revitalization must maintain, or preferably enhance, current levels of flood protection. Projects should emphasize natural and non-structural methods for flood management where feasible, including minimizing new structures in flood prone areas.

9. Foster Sustainability Practices

River projects should foster sustainability goals, including: stormwater management, groundwater recharge, water conservation, clean air, and efficient land use.

10. Safety

All government agencies shall work to inform the public on the importance, beauty, and power of the Los Angeles River and how to safely enjoy the area.

Information about The Los Angeles River Masterplan

In 1991, the County of Los Angeles Board of Supervisors directed the Departments of Public Works, Parks and Recreation, and Regional Planning to develop the Los Angeles River Master Plan. The Master Plan, completed and adopted by the Board of Supervisors in 1996, formulated a multi-objective program for the river while recognizing its primary purpose for flood protection. Overall, the Master Plan advocates environmental enhancement, recreational opportunities, and economic development.

The Master Plan is overseen by an Advisory Committee of 50 members representing federal, state, city, and local agencies, and environmental and community groups. The Advisory Committee meets on a regular basis, and members are given the opportunity to review proposed projects. Project reviews are also performed by Public Works, the agency that issues construction permits, and the U.S. Army Corps of Engineers to ensure that the structural integrity of the river is not compromised.

Completed and upcoming projects, including the development of bikeways, pocket parks, landscaping enhancements, Earth Day events, the Adopt-a-Riverbank Program, and other community and environmental projects have been reviewed, supported, and monitored by the Advisory Committee. The Advisory Committee has also been actively resolving three remaining issues with implementation of the Master Plan and subsequent access to the river: long term maintenance, liability, and security.

While the Master Plan focuses on revitalizing the Los Angeles River and Tujunga Wash, the Plan's goals are applicable to the Los Angeles River Watershed. In conjunction with the goals of the Master Plan, Public Works and the U.S. Army Corps of Engineers agreed to expand the scope of the Los Angeles County Drainage Area (LACDA) Project to include implementation of some of the Plan's objectives. The LACDA Project, in addition to increasing the flood carrying capacity of the lower Los Angeles River, Rio Hondo Channel, and Compton Creek, also made improvements to the existing recreation trails which run along these facilities.

In February 1995, an implementation team consisting of members of the Advisory Committee was formed to help develop strategies for implementing the recommended projects among cities, agencies and community groups.

Specific issues raised throughout the planning process are to be addressed during the implementation of each project with input from the community affected by the project. The Planning Team gathers suggestions for addressing the issues of safety, security and law enforcement, flood protection, wildlife habitat, maintenance, property ownership, funding and coordination among jurisdictions.

Full implementation of the Master Plan recommendations will entail many years of coordination among agencies, cities and community groups. The Advisory Committee recognizes that there will be a need to modify and update parts of this document over time. The Master Plan's greatest value is in providing a vision for the river's future.

Goals of the Master Plan:

- Ensure flood control and public safety needs are met.
- Improve the appearance of the river and the pride of local communities in it.
- Promote the river as an economic asset to the surrounding communities.
- Preserve, enhance and restore environmental resources in and along the river.
- Consider stormwater management alternatives.
- Ensure public involvement and coordinate Master Plan development and implementation among jurisdictions.

- Provide a safe environment and a variety of recreational opportunities along the river.
- Ensure safe access to and compatibility between the river and other activity centers.

Vision of the Master Plan:

The Master Plan is intended to reflect the needs and ideas of the diverse communities, groups and individuals with an interest in the future of the river. One means of accomplishing this is through the participation of the Los Angeles River Advisory Committee, which was formed in the fall of 1992. The role of the Advisory Committee is to:

- Identify the issues critical to the enhancement of the river.
- Develop a community involvement program, including public meetings.
- Make project recommendations based on Master Plan findings.
- Develop an implementation plan for the projects identified in the Master Plan.

The Los Angeles River is a complex resource, touching many geographic areas and performing many functions in the urban environment. This is the very reason it has the potential to be a significant link between people and neighborhoods. The realization of that potential will require a concerted effort and inter-agency cooperation and coordination.

Urban development and flood protection modifications consumed the once abundant open space in the Los Angeles Basin and brought about the channelization of the river. The basin was 98 percent "built out" by the 1980's. The City of Los Angeles has the least percentage of public open space and park land of any major urban center in the nation. Only 4 percent of the land in the city is devoted to public open space and parks-compared to 9 percent in Boston and 17 percent in New York City.

The Value of Open Space:

The presence of public open space significantly improves the quality of life in urban environments. Specific benefits of open space and recreational facilities, such as trails, include:

- **Recreational:** Access to close-to-home parks and open space can benefit the millions of urban residents who typically do not travel long distances to county, state or federal parks and forests.
- **Health:** Opportunities for stress-reducing exercise, which contributes to better health and lower medical costs.
- **Property Values:** Many studies have shown that parks, greenways and open space increase property values, and that the resulting increase in local tax revenue can offset the cost of open space and greenway acquisition and development.
- **Environmental:** The trees and water that are often present in open spaces help mitigate water and air pollution. Development of trails and greenways can decrease air pollution by encouraging people to ride bicycles, run, jog or walk instead of driving cars.
- **Educational:** Public open space provides sites for outdoor science classrooms and for urban wildlife viewing.

The need for these amenities in urban Los Angeles was documented in a survey sponsored by Rebuild L.A. More than 77% of the residents in the areas most affected by the 1992 civil unrest saw parks, recreation and adult sports programs as "absolutely critical" or "important" needs in their

communities. This need ranks second only to youth services.

In the search for open space, people are looking to public and quasi-public lands which in the past were dedicated to single-purpose uses. Within Los Angeles County, hundreds of miles of flood control channels, railroad rights-of-way and utility corridors may offer some of the best opportunities for developing multi-use, public open space. The river is one of these resources.

Information about The River Project

The River Project is a non-profit 501(c)(3) organization dedicated to planning for natural resource protection, conservation and enhancement in Los Angeles County.

Our mission is to encourage responsible management of our watershed lands and revitalization of our rivers for the social, economic and environmental benefit of our communities. Through outreach, advocacy, scientific research and hands-on educational programs, we provide communities with the tools to reclaim their riverfront lands.

Range of Activities:

- Advocate for a more integrated watershed-based approach to planning
- Identify opportunities to improve our riverfronts and surrounding watershed lands
- Undertake necessary scientific studies to revitalize our rivers
- Focus on accomplishing multi-objective projects
- Participate in policy development at the local, regional and statewide level
- Engage communities in the process of creating parkways and bikeways along our rivers
- Work closely with schools to provide hands on, project-based learning opportunities
- Facilitate locally-driven public art along our river greenways
- Provide communities with the knowledge and tools they need to be watershed stewards
- Promot

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awarene Key Achievements of the River Project:

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our native ecosystem and a sense of place in Southern California

The River Project organized the Coalition for a State Park at [Taylor Yard](#) and led the successful fight to establish the first state park on the Los Angeles River.

The River Project did a comprehensive study of the [Tujunga Wash](#) subwatershed, and is actively engaged in the design and development of [several river greenway parks](#) in the San Fernando Valley.

Their educational program has been named in the state board of education's California Guide to Environmental Literacy as one of the best environmental education projects in the state.

The Project is an active partner in policy development through the Los Angeles and San Gabriel Rivers Watershed Council, the County's Los Angeles River Masterplan Advisory Committee, the City's Integrated Resources Plan and its C.R.E.S.T. (Cleaner Rivers through Effective Stakeholder TMDLs) Steering Committee, as well as its Ad Hoc Committee on the Los Angeles River.

In March of 2003, Melanie Winter, Director of the Project, was honored by [Sunset Magazine](#) as the first recipient of their annual environmental hero awards "Champions of the West."

Overview of the Los Angeles River:



The River in the Elysian Valley

The Los Angeles River is the heart of an 871-square mile watershed. The watershed encompasses the Santa Susanna Mountains to the west, the San Gabriel Mountains to the north and east, and the Santa Monica Mountains and Los Angeles coastal plain to the south.

The Los Angeles River Watershed has diverse patterns of land use. Forest or open space covers the upper half of the watershed, while the remaining watershed is highly urbanized with commercial, industrial, or residential uses. There are 22 lakes within its boundaries. In addition, there are a number of spreading grounds in the watershed including sites at Dominguez Gap, the Headworks, Hansen Dam, Lopez

Dam, and Pacoima Dam. The Los Angeles River is hydraulically connected to the San Gabriel River through the Rio Hondo, although this occurs primarily during large storm events.

Many people don't even realize there is a river in Los Angeles. It's usually remembered as the cement channel where two Terminators had a high-speed chase in the movie T2, or the staging ground for a giant ant invasion in Them!. But our river is more than a backdrop for movies and traffic. It is presently a shadow of it's former self, but areas of great beauty still exist.

The Los Angeles River is not like other rivers in the United States. At only 52 miles long, the L.A. River is 45 times shorter than the Mississippi, but drops 795 feet in elevation from the headwaters in the San Fernando Valley to its end in Long Beach. That's 150 feet more than the Mississippi drops in its entire 2350 miles, meaning our river is short but steep.

In times of peak flow, the river carries 183,000 cubic feet of water per second out to the Pacific Ocean (the equivalent of 40 million garden hoses going full blast) - 14 times the flow of NY's Hudson River. The LA River has no "average" flow, varying widely from a bare trickle in drought years to a raging torrent in years of heavy rain.

The Los Angeles River Watershed has impaired water quality in the middle and lower portions of the basin due to runoff from dense clusters of commercial, industrial, residential, and other urban activities. The impairments include pH, ammonia, metals, coliform, trash, algae, oil, pesticides, and volatile organics.

Of course, one of the most different things about the LA River is the fact that much of it is encased in concrete. Confining the river to a concrete channel began in 1938, as an effort to control the devastating floods that periodically swept through the city. It took 30 years and 3.5 million barrels of concrete to channelize the river and its tributaries, and when it was done, it wasn't called a river anymore. It was renamed the Los Angeles River Flood Control Channel.

The Taylor Yard Project

For river activists, Taylor Yard has always represented the brass ring. The 200+ acre historic site just north of downtown has represented a significant opportunity to create a meaningful watershed-based project that exemplifies the multiple benefits approach to river revitalization.

After a decade of controversy, lawsuits and community activism, the passage in 2000 of the statewide parks bond Prop 12 provided the means to realize a green vision of Taylor Yard. With effective advocacy from many quarters, the Governor and the State Legislature approved \$45 Million to acquire lands at Taylor Yard to create the first new State Park in Los Angeles in many years. The Coalition for a State Park at Taylor Yard, organized by The River Project, advocated for a 100-acre urban park along the Los Angeles River that would meet both active and passive recreational needs, and restore some fast-disappearing native habitats. California State Parks has made a commitment to facilitate this integrated vision.

The state now owns 58 acres at the site. With continued community involvement, the critical remaining 44 acres along the river will ultimately be purchased as well. With over 100 acres and 2 miles of river frontage, the multi-objective State Park would become the centerpiece of the Los Angeles River Greenway.

Three parcels totaling over 100 acres are envisioned to comprise the State Park. State Parks is currently engaged in a community-based master planning process for the site. Taylor Yard is located along the LA River in the communities of Cypress Park and Glassell Park (between the 2 Freeway and the 110 Freeway) just north of downtown Los Angeles. 40 acres lie between San Fernando Road and the rail line, which separates it from the riverfront parcels. State Parks purchased this parcel in December 2001. This site is ideal for a combination of active recreation, picnic areas, habitat restoration, and educational and cultural facilities. After an extensive joint planning process, interim public facilities should be available to the community in summer 2004. The active recreation components will be accomplished through a cooperative partnership with City of Los Angeles's Recreation & Parks Department. This phase of the park is expected to be completed by late 2005 and will provide great benefit the community as long range work on the riverfront land gets underway.

62 riverfront acres are the subject of an ongoing feasibility study funded by the State Coastal Conservancy to explore options for restoration. Formerly an active rail facility, the Union Pacific Railroad ceased operations in February 2003. Plans for this 62 acre parcel are focused on clean up, habitat restoration, flood hazard mitigation, stormwater remediation and passive recreational uses. Implementing this project will take considerable time and would be accomplished through phasing between local, state and federal agency partners. California State Parks acquired the first 18 of these acres in December 2003.

The River Project, with a grant from the Taylor Family and the California State Parks Foundation, will be undertake a collaborative project with local students and a local artist to create the interpretive facilities for the State Park.

Following the River from its Headwaters to Long Beach

Headwaters

The Los Angeles River begins just beyond the Canoga Park High School football field in the San Fernando Valley, at the confluence of Bell Creek and Calabasas Creek, which flow down from the Santa Susana and Santa Monica Mountains. The river flows southeast, joined by Santa Susana, Browns, Dayton, Chatsworth, Limekiln, Wilbur, Aliso, Woodley, Pacoima and Burbank creeks, that drain the mountains ringing the Valley. Historically, much of the water that flowed through the valley seeped into the ground to fill the giant underground aquifer that has supplied water to Los Angeles for over a hundred years. Now, however, the Valley is over 60% hard surfaces and rainwater is directed to stormdrains that empty directly into the river. The river in the west valley is now a concrete trapezoid channel.



The headwaters in Canoga Park

The Valley



The Los Angeles River in the Sepulveda Basin

At the Sepulveda Basin, however, more than three miles of the river are all but undisturbed, allowing the growth of willows, reeds and other vegetation and giving us a glimpse of the natural river. The Sepulveda Basin is a dry reservoir, a 2.25-square mile emergency flood-control feature behind a 57-foot earthen dam. Although much of this basin is used for recreation, with soccer, baseball, and playing fields, where the soft bottom channel of the river flows, mulefat, sagebrush, willow, and reeds cover the banks. Tributaries joining the river in the Basin are Bull Creek, Hayevnhurst Creek and Haskell Creek. Along Haskell Creek is a 225-acre [Wildlife Reserve](#) that serves as protected habitat for hundreds of species. From the Sepulveda Basin, the river flows as a concrete box channel east through the San Fernando Valley.

Big Tujunga Wash drains the northwestern San Gabriel Mountains. Starting high in the Angeles National Forest and running wild until it encounters Hansen Dam in Sun Valley, it then becomes a concrete box channel. As it continues through the eastern San Fernando Valley, it joins with the Pacoima Wash, then meets the Los Angeles River at the CBS studios in Studio City. As the river continues east past the studios, it is joined by the Burbank Wash and the Verdugo Wash in Glendale.

Downtown

The river widens and turns south around Griffith Park, and heads through what is known as the Glendale Narrows - a rocky bottleneck that forces any underground water to the surface to join the visible river. Here begins the soft-bottom portion of the river referred to as the Elysian Valley, another eight miles of river lush with islands of trees, brush and reeds, and a favorite haunt of birds on the Pacific Flyway. Below the Elysian Valley is the confluence of the Arroyo Seco and the Los Angeles River.



the transition from concrete to soft bottom

The Arroyo Seco drains the southwestern section of the San Gabriel Mountains. Starting high in the San Gabriel Mountains and running through Pasadena near the Rose Bowl, it continues through South Pasadena to meet the LA River just north of Downtown Los Angeles.

After the confluence the Los Angeles River becomes a fully concrete trapezoid channel and is spanned by architecturally historic bridges that carry automobiles full of people - who rarely realize they are crossing the Los Angeles River. To preserve these bridges, the riverbed was lowered and piers of the bridges enhanced and strengthened so that the river could be clad in concrete!

Southern Cities & the Estuary



The estuary and Queen Mary at Long Beach

South of the City of Los Angeles, the river flows through the cities of Vernon, Maywood, Bell, Bell Gardens, Cudahy, Southgate, Lynwood, Compton, Paramount and Carson on its way to Long Beach. The Rio Hondo joins the Los Angeles River at Southgate from the east, connecting it to the San Gabriel River. The last tributary mingling with the Los Angeles River is Compton Creek. South of Compton Creek, the river flows down between a concrete or rock channel into the estuary in Long Beach, right by the Queen Mary. The last several miles of the river are soft-bottom and lined with rock riprap, and are a favorite spot for shorebirds.

Background on Arthur Golding, AIA:

Arthur Golding has worked to revitalize the Los Angeles and San Gabriel River system for over 17 years. He is immediate past president of the Los Angeles and San Gabriel Rivers Watershed Council, a nonprofit stakeholder group. He chairs the Council's Landscape Ethic Committee, which aims to foster sustainable landscape design rooted in our bioregion and its natural systems.

An architect and urban designer, Arthur prepared the master plan for the expansion of Loyola Marymount University, and has designed buildings on that campus and at Caltech. Arthur teaches architectural and urban design at the USC School of Architecture.

He was a principal consultant for the Common Ground open space plan for the double watershed of the San Gabriel and Los Angeles Rivers, adopted by Los Angeles County and 55 cities and a member of multidisciplinary teams that prepared watershed management studies for the Arroyo Seco and Ballona Creek.

Arthur studied at Yale, where he received BA and MArch degrees. Prior to founding his own firm, he was design principal at Pereira Associates in Los Angeles, where he designed American Airlines' headquarters in Dallas and the Citicorp tower in San Francisco.

MEMORANDUM TO THE WATER POLICY TASK FORCE

June 8, 2006

TO: *Members of the Water Policy Task Force*

FROM: *Daniel E. Griset, Project Manager, 213.236.1895, griset@scag.ca.gov*

SUBJECT: *Trash TMDL Update*

RECOMMENDED ACTION:

Receive for future policy consideration.

BACKGROUND:

In 2001 when the Los Angeles Regional Water Quality Control Board adopted a Total Maximum Daily Load (TMDL) for trash it established a policy that the Los Angeles River and Ballona Creek would be impaired by any amount of trash above zero after ten years of implementation. A group of 22 cities challenged the TMDL and consequently the Superior Court of San Diego County invalidated the TMDL on various grounds.

Later, the 4th Appellate District Court has upheld the lower court's invalidation of the TMDL to the extent that the lower court's decision is based on noncompliance with the California Environmental Quality Act (CEQA). The Appeals Court determined that the Board will need to complete an Environmental Impact Report (EIR) for the TMDL to proceed since construction and maintenance of the trash control devices will have environmental impacts. The Appeals Court also rejected arguments by the cities that the TMDL lacked a study of the assimilative capacity of the river (i.e., an evaluation as to whether some trash would be acceptable). The Court also rejected arguments that the TMDL required a cost/benefit analysis or the consideration of economic factors (per Water Code sections 13267 & 13241, respectively).

The Trash TMDLs were significant because they were the initial efforts in the state to address trash pollution and because their implementation costs were estimated to potentially exceed \$1 billion. These costs would have to be met by the County and cities within Los Angeles County and any other stormwater dischargers. To this date, funding for these kinds of activities does not exist.

The impact of the Los Angeles River TMDL on Caltrans and its operation of state roadways is material, amounting to a trash loading of nearly 8,000 cubic feet per year. In order to comply with the TMDL Caltrans has developed its own treatment units called *gross solids removal devices* (GSRD) that are designed to capture 100% of the all solids that can be retained by a mesh screen with openings 0.2 in. (5 mm) square for a one-year design storm. In addition, the units are designed to drain completely within 72 hours to avoid mosquito breeding.

One constraint affecting the widespread implementation of this GSRD device is the often limited rights-of-way in older parts of the Caltrans system. In these settings Caltrans has asked SCAG to assist with the formation of inter-agency partnerships through which more comprehensive control measures can be developed on a collaborative basis.

The Regional Board has now proposed to temporarily set aside the Trash TMDL until its provisions are in compliance with the court ruling required that it meet the provision of the California Environmental Quality Act. (See Attachment 1.) The hearing for this proposal is scheduled for June 8. At its next meeting, the Task Force will be briefed on the actions of the Regional Board by its Executive Officer, Jonathan Bishop.

MEMORANDUM TO THE WATER POLICY TASK FORCE

June 8, 2006

TO: *Members of the Water Policy Task Force*

FROM: *Daniel E. Griset, Project Manager, 213.236.1895, griset@scag.ca.gov*

SUBJECT: *Status of Water Bond Proposals*

RECOMMENDED ACTION:

Receive for future policy consideration.

BACKGROUND:

The November ballot will have a variety of bond measures, including two with water features. The Legislature and Governor have agreed to a bond package that will appear on the November ballot. This package has four elements, including a \$4 billion measure to fund flood control and levee protection, primarily for flood protection in the Central Valley. At the same time, the Conservation Strategies Group appears to have qualified by public signatures a ballot measure that has a wide ranging menu of water supply and water quality components. It's expected to be known as Proposition 84 and would also appear on the November ballot.

The provisions of the water bond measure are delineated in A.B. 140, a bill authored by Speaker Fabian Nunez. A.B. 142, also by Nunez, is a related bill that immediately appropriates \$500 million from the general fund to the Department of Water Resources for immediate levee evaluation and repairs.

Additional Details of the Water Bond Measure:

- **Evaluation, Repair, and Replacement of Central Valley Levees and Flood Control Infrastructure:** \$3 billion
 - Will fund urgent repairs and essential improvements of levees and other flood control facilities in the Central Valley and Sacramento-San Joaquin Delta.
 - Funds will also leverage federal and local dollars to fund flood prevention projects and improve disaster preparedness.
 - Bond funds will be used for programs such as:

Evaluation and repair of the state/federal flood control system, addressing ongoing erosion, seepage and stability distress.

Modifications and improvements to increase flood protection for urban areas, such as Folsom Dam modifications, American River Common features, south Sacramento streams, and other projects.

Ongoing local assistance for Delta Levee Subventions and special flood control projects to reduce the risk of Delta levee failure.

- **Flood Control Subventions:** \$500 million

- Will help pay the state's share of flood control projects outside the Central Valley. Currently, the state owes approximately \$160 million to projects that are already underway or have been completed. Bond funding, combined with other funding mechanisms, would cover anticipated subvention payments for the next 10 years.
- **Flood Protection Corridor, Bypasses and Mapping:** \$290 million
 - Funds will be used for:

Creation of new levees in coordination with the construction and preservation of setback levees, flood corridors and bypasses.

Completion of flood hazard and alluvial fan floodplain mapping necessary for proper flood infrastructure investments.

- **Storm Water Flood Management:** \$300 million
 - Will provide grants to local entities to cost share storm water runoff projects, consistent with an integrated regional water management plan.
 - Only projects outside the State Plan of Flood Control are eligible for these funds.

More specific details for allocation priorities can be found in Attachment 5.

MEMORANDUM TO THE WATER POLICY TASK FORCE

June 8, 2006

TO: *Members of the Water Policy Task Force*

FROM: *Daniel E. Griset, Project Manager, 213.236.1895, griset@scag.ca.gov*

SUBJECT: *Task Force Meeting Date*

RECOMMENDED ACTION:

Consider an alternative Thursday for Task Force meetings.

BACKGROUND:

At those times when it would be useful to have representatives from the Los Angeles Regional Water Quality Control Board address the Task Force, our second Thursday meeting dates conflict directly with the standing meeting times for the Board. This conflict could be resolved by changing the standing Task Force meeting date.

One alternative would be to move the Task Force meeting to the third Thursday for the five months when the Task Force convenes.

Discussion is requested to determine if a change should be made.

ATTACHMENTS

- 1. City of Los Angeles Notice of Preparation of
Programmatic EIR/EIS on the Los Angeles River
Revitalization Master Plan**
- 2. Tentative Regional Board Resolution on Trash
TMDL Set Aside**
- 3. A.B. 140**
- 4. A.B. 142**
- 5. Additional Bond Measure Detail on Geographic
Priorities for Project Funding**

**City of Los Angeles Notice of Preparation of
Programmatic EIR/EIS on the Los Angeles River
Revitalization Master Plan**

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**NOTICE OF PREPARATION/NOTICE OF INTENT
FOR
ENVIRONMENTAL IMPACT REPORT/ENVIRONMENTAL IMPACT STATEMENT
THE LOS ANGELES RIVER REVITALIZATION MASTER PLAN**

Date: March 30, 2006

To: Interested Persons

The City of Los Angeles (City) will be the Lead Agency along with the U.S. Army Corps of Engineers, and will prepare an Environmental Impact Report (EIR)/Environmental Impact Statement (EIS) in accordance with the California Environmental Quality Act/National Environmental Policy Act (NEPA) for the Los Angeles River Revitalization Master Plan (LARRMP). The purpose of this project is to improve the general environment of the Los Angeles River by improving natural habitat, economic values, water quality, recreation, and open space. The study area includes several locations where the potential exists for restoring a more natural riverine environment along the Los Angeles River, while maintaining and improving levels of flood protection. Creation of treatment wetlands in and around the river, to treat effluent river flows and to restore missing linkages of fragmented habitat, would also be pursued. Restored areas would provide natural riparian habitat to support indigenous wildlife and avifauna along a corridor transecting most of the San Fernando Valley, and extending into downtown Los Angeles. Other purposes include provision of public access to the river, identification of incidental recreation space, delineation of trails, and the reinvestment in the urban system that results in economic growth.

We need to know the views of your agency as to the scope and content of the environmental information that is germane to your agency's statutory responsibilities in connection with the proposed project. We also need to know the views and concerns of interested organizations and persons in order to properly analyze the environmental impacts of the proposed project. Potential environmental impacts that may occur as a result of the proposed project include aesthetic, air quality, noise, and traffic impacts and impacts to cultural resources.

An analysis of these potential environmental impacts and other potential impacts that could be mitigated to a less-than-significant level is provided in an Initial Study checklist, which is attached or can be reviewed at the following: Central Library, 630 West Fifth Street; Atwater Village Library, 3379 Glendale Blvd, and the North Hollywood Regional Library, 5211 Tujunga Avenue; or online at www.lariver.org

A scoping meeting is scheduled for Tuesday, April 18, 2006 from 4:00 PM to 7:00 PM at the Media Center located at 2714 Media Center Drive, Los Angeles, CA 90065.

Due to the time limits mandated by state law, your response must be sent at the earliest possible date, but not later than 30 days after receipt of this notice.

Please send your response to: Dr. Ara Kasparian
City of Los Angeles,
Public Works Department
Bureau of Engineering
Environmental Management Division
1149 South Broadway, Suite 600
Los Angeles, CA 90015

1. Project Title: Los Angeles River Revitalization Master Plan (LARRMP)

2. Lead Agency Name and Address:

City of Los Angeles, Bureau of Engineering
Environmental Management Division
1149 S. Broadway, Suite 600
Los Angeles, CA, 90015

3. Contact Person and Phone Number:

Dr. Ara J. Kasparian (213) 485-5729

4. Project Location:

Citywide

5. Project Sponsor's Name and Address:

City of Los Angeles, Bureau of Engineering
Environmental Management Division
1149 S. Broadway, Suite 600
Los Angeles, CA, 90015

And

US Army Corps of Engineers, Los Angeles District
Urban and Water Resources Planning Division
915 Wilshire Boulevard, 14th Floor
Los Angeles, CA 90017

6. General Plan Designation:

The proposed project could be constructed and operated on land designated by the General Plan for residential, open space, commercial, industrial, public facilities, community, public rights-of-way, and/or recreational uses. There is a potential for the project alternatives to conflict with zoning, general plans, local coastal programs, and other applicable land use plans.

7. Zoning:

Zoning designations include the R (residential), C (commercial), and M (industrial) series, as well as other designated zones such as public facilities and open space.

8. Background Information:

The Los Angeles River flows 51 miles through some the most diverse communities in Southern California. It stretches 32 miles within the City of Los Angeles alone, from Owensmouth Avenue in the upper reaches of the northwest San Fernando Valley, to the border with Vernon at the southern end of Downtown. The River is mostly dry during summer months, and can become a river filled with racing waters during the rainy season. The Los Angeles River has a compelling history and innate natural beauty of which many Angelenos are unaware.

The current state of the River is degraded from its natural condition. Flood management projects have lined the channel with concrete. The banks are mostly lined with industrial land uses. The length of the river is fenced for public safety and to reduce vandalism and dumping in the channel. The public perception of the river is that of a drainage ditch, not of the natural system it once was.

Three issues have made the River an enigmatic force in the processes and politics of the community:

- The concrete channel is one of the reasons the City has turned its back to the River instead of a source of celebration of nature and beauty, as with other cities. It is considered entirely without aesthetic value and largely without habitat value. Portions of the River have recreational value, but these are not connected nor linked in a formal system of trails. Wholesale removal of the channel would demand huge acquisitions of private property, destroying whole neighborhoods. Other solutions must be found to make the channel more “green,” more natural, more accessible and more secure.
- River ownership, flood management, water quality, and community planning, zoning and economic development, are all controlled or influenced by separate agencies/departments. This fragmentation is a fundamental obstacle to the ability to capture change with the River as a catalyst. Finding a cohesive governance structure, with the correct enabling tools, could be one of the most significant products of this plan. Without a new structure it may be impossible, from a practical standpoint, to achieve the vision of the plan.
- The patchwork of zoning and other land use regulations, special districts and policies have created gross mismatches between the theoretical and actual land use in many neighborhoods. The problem exists at both extremes: some areas are grossly over-zoned, putting gentrification or commercial pressure on residential areas that should be stabilized; other areas are grossly under-zoned where the location, market and River opportunities cannot be captured without rezoning.

For many years, community leaders, elected officials, concerned citizens, environmental groups, recreational groups, and local visionaries have been involved in exploring ways to return the splendor of the River to the people of Los Angeles while maintaining flood protection and safety. Building on this momentum, Los Angeles City Council member Ed Reyes led efforts in 2002 to establish the Los Angeles City Council Ad Hoc Committee on

the Los Angeles River to function as a clearinghouse for River projects, to encourage community involvement in River improvements, and to help coordinate River-related projects within the City.

The Ad Hoc River Committee established the following broad goals for the Los Angeles River Revitalization Plan:

- Establish environmentally sensitive urban design guidelines, land use guidelines, and development guidelines for the River zone that will create economic development opportunities to enhance and improve River-adjacent communities by providing open space, housing, retail spaces such as restaurants and cafes, educational facilities, and places for other public institutions.
- Improve the environment, enhance water quality, improve water resources, and improve the ecological functioning of the River.
- Provide public access to the River.
- Provide significant recreation space and open space, new trails, and improve natural habitats to support wildlife.
- Preserve and enhance the flood control features of the River.
- Foster a growth in community awareness of the Los Angeles River, and pride in the Los Angeles River.

The LARRMP is a 20-year blueprint for development and management of the Los Angeles River for implementation by the City of Los Angeles. The plan would identify improvements along the project area all aimed towards celebrating neighborhoods, protecting wildlife, promoting the health of the river, and leveraging economic development.

9. Description of the Project:

The project study area is located within the Los Angeles Basin on a broad alluvial plain flanked by the Santa Monica Mountains to the west, and by the San Gabriel Mountains to the northeast. The Los Angeles River flows from the headwaters of Bell Creek and Calabasas Creek in the San Fernando Valley community of Canoga Park southeast through the San Fernando Valley approximately 32 miles through downtown Los Angeles to the border with the City of Vernon. From there, it continues in a southerly direction until it empties into the Pacific Ocean at Long Beach. The project study area comprises the 32 miles of the River within the City of Los Angeles that extends from Owensmouth Avenue, in the upper reaches of the northwest San Fernando Valley, to the border of the City of Vernon, at the southern end of Downtown Los Angeles. The project proposes to consider a range of activities to restore riparian and aquatic habitat, and related habitat functions, in and adjacent to the Los Angeles River. Compatible activities to conserve cultural resources, and to provide recreational, open space, and interpretive amenities, will also be considered. In addition, redevelopment would be encouraged to bring economic and residential vitality along the river banks and utilization of the river as a natural scenic feature. Recreational features such as additional green space and a continuous trail along the river are features of the project.

The purpose of this project is to improve the general environment of the Los Angeles River by improving natural habitat, economic values, water quality, recreation, and open space. The study area includes several locations where the potential exists for restoring a more natural riverine environment along the Los Angeles River, while maintaining and improving levels of flood protection. Creation of treatment wetlands in and around the river, to treat effluent river flows and to restore missing linkages of fragmented habitat, would also be pursued. Restored areas would provide natural riparian habitat to support indigenous wildlife and avifauna along a corridor transecting most of the San Fernando Valley, and extending into downtown Los Angeles. Other purposes include provision of public access to the river, identification of incidental recreation space, delineation of trails, and the reinvestment in the urban system that results in economic growth.

The EIR/EIS would adopt two levels of review for its various components. Because the LARRMP may be composed of various components, some components may have a project level detail while other components may not have a level of detail sufficient to meet the requirements of Section 15161 of CEQA Guidelines, which requires that the document examines environmental effects of a specific project and generally provides a detailed level of discussion and evaluation of the project. Components not developed in sufficient detail would only be evaluated at a program-level or a concept level, requiring additional environmental reviews as more details emerge in the future. Thus, subsequent environmental analysis would be required for the components evaluated at a program level. Alternatives will be developed for the comprehensive river corridor, sub areas, and five detailed design opportunity areas.

10. Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreements).

Various approvals and/or permits will be required from other agencies or jurisdictions in order to implement one or more of the components of the LARRMP. These agencies and jurisdictions may include, but are not limited to:

FEDERAL

- U.S. Army Corps of Engineers (USACE)
- U.S. Department of the Interior, Bureau of Reclamation
- U.S. Department of the Interior, Fish & Wildlife Service
- U.S. Environmental Protection Agency
- Federal Aviation Administration

STATE

- California Coastal Commission
- California Department of Conservation, Department of Oil and Gas
- California Department of Fish and Game
- California Department of Parks and Recreation
- California Department of Toxic Substances Control
- California Department of Transportation
- State Office of Historic Preservation
- Department of Health Services

- State Water Resources Control Board

REGIONAL

- South Coast Air Quality Management District
- Los Angeles County Metropolitan Transportation Authority
- Regional Water Quality Control Board
- Southern California Association of Governments (SCAG)
- County of Los Angeles

LOCAL

- City of Burbank
- City of Glendale
- City of Los Angeles, Board of Public Works
- City of Los Angeles, City Council
- City of Los Angeles, Department of Water and Power
- City of Los Angeles, Department of Building and Safety
- City of Los Angeles, Community Redevelopment Agencies
- City of Los Angeles, Department of Planning
- City of Los Angeles, Police Commission
- City of Los Angeles, Department of Recreation and Parks
- City of Los Angeles, Department of Transportation
- Los Angeles County Department of Public Works
- Los Angeles Unified School District

OTHER

- Union Pacific Railroad
- Metropolitan Transit Authority
- BNSF Railroad
- Metrolink
- Burlington Northern Santa Fe
- Union Pacific

11. ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below (☒) would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

☒	Aesthetics	☒	Hazards & Hazardous Materials	☒	Public Services
☐	Agriculture Resources	☒	Hydrology/Water Quality	☒	Recreation
☒	Air Quality	☒	Land Use/Planning	☒	Transportation/Traffic
☐	Biological Resources	☐	Mineral Resources	☒	Utilities/Service Systems
☒	Cultural Resources	☒	Noise	☐	Mandatory Findings of Significance

<input type="checkbox"/>	Geology/Soils	<input checked="" type="checkbox"/>	Population/Housing		
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DETERMINATION: On the basis of this initial evaluation:

I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.	<input type="checkbox"/>
I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.	<input type="checkbox"/>
I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT (EIR) is required.	<input checked="" type="checkbox"/>
I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect (1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and (2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.	<input type="checkbox"/>
I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.	<input type="checkbox"/>

Ara Kasparian, Ph.D.
Project Manager/City of Los Angeles

Date

Initial Study Checklist

Issues	Potentially Significant	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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1. AESTHETICS. Would the project:

a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially damage scenic resources, including, but not limited to trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Create a new source of substantial light or glare that would adversely affect day or nighttime views in the area?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

The LARRMP project improves the visual character of the River corridor. The project would replace urban and industrial vistas of little aesthetic value with more natural scenic vistas of high aesthetic value. Natural features will include open space; native and/or ornamental vegetation and landscaping; and natural water sources. Urban features to be replaced would not include features of high value such as structures of architectural or historical significance or visual prominence; public plazas, art or gardens; heritage oaks or other trees or plants protected by the city; consistent design elements along a street or district; pedestrian amenities; landscaped medians or park areas etc. The project will positively enhance the urban landscape by creating focal views of natural elements within the urban environment. The following scenic highways would benefit from the improved vistas of the revitalized river corridor: 1) in northeast Los Angeles the river travels under Colorado Boulevard, a Major Scenic Highway and under the Pasadena Freeway, a Scenic Divided Major Highway; 2) in Hollywood, Forest Lawn, a major Scenic Highway runs adjacent to the LA River in Griffith Park; and, 3) in Silverlake-Echo Park, Riverside Drive, a Major Scenic Highway runs adjacent and crosses the LA River at the western edge of Elysian Park.

The LARRMP project will not damage scenic resources but will preserve and enhance them with the proposed developments and improvements. Proposed planting of the riparian areas will reduce glare from the concrete lined river. However, the redevelopment aspects of the project could create a new source of light or glare that could adversely affect day or nighttime views in the area. Pondered water within the River could also create a new source of light or glare. The project would both increase and decrease zones of artificial lighting, depending on the location. The EIR will evaluate potential impacts to day or nighttime views in the area caused by new sources of substantial light or glare.

Initial Study Checklist

Issues	Potentially Significant	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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<p>2. AGRICULTURE RESOURCES: In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project:</p>				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland) as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Involve other changes in the existing environment, which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

The majority of the land within the City of Los Angeles and surrounding areas is zoned for residential, commercial and industrial land uses. The LARRMP project does not have the potential to affect agricultural resources since development would occur on areas that have been previously disturbed. The proposed project is not expected to affect prime farmland, unique farmland, or farmland of statewide importance or convert any farmland to non-agricultural use. The project would not affect agriculturally zoned land or affect a Williamson Act contract. The only location where the project would potentially encroach upon land currently designated or leased for agricultural use is within or adjacent to the Sepulveda Basin. Consequently, the project is expected to have less-than-significant impacts to the conversion of farmland to non-agricultural uses.

Initial Study Checklist

Issues	Potentially Significant	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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3. AIR QUALITY: Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:				
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions that exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

The LARRMP project would be implemented to meet air quality regulations. The LARRMP project would be based on future population projections developed by the Southern California Association of Governments (SCAG). The potential for the LARRMP project to induce population growth beyond the levels projected by SCAG, which could obstruct the implementation of the current Air Quality Management Plan (serves as the State Implementation Plan for bringing the air basin into attainment) is remote.

Construction of the LARRMP project has the potential to affect localized traffic circulation patterns, which could in turn result in increases in carbon monoxide (CO) hotspots or an exceedance of carbon monoxide standards. During construction, traffic may be rerouted and bridges may be closed or even relocated to implement project design. Similarly, the creation of new parks and open space would increase visitation to the area which could result in increased traffic, which could result in carbon monoxide hotspots. The EIR will evaluate the potential for the LARRMP project to result in violations of state and federal carbon monoxide standards.

In addition, without mitigation, the construction and operation associated with the LARRMP project could result in the generation of criteria pollutants, which could result in short-term significant impacts. Air quality impacts may occur as a result of earth moving operations and the use of heavy equipment. The EIR/EIS will

Initial Study Checklist

Issues	Potentially Significant	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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evaluate the construction and operational air quality impacts of the LARRMP project and identify mitigation measures that could reduce these effects.

The EIR/EIS will evaluate the potential for the LARRMP project to result in cumulatively considerable increases in criteria pollutants.

Sensitive receptors include land uses such as schools, residences, recreational facilities, and other land uses that could contain young children, elderly persons, or people with existing respiratory health problems. The EIR will evaluate the potential for construction and operation of the LARRMP project to affect sensitive receptors.

The LARRMP should not create objectionable odors, potential odor impacts of the LARRMP project will be evaluated in the EIR.

The planting of riparian vegetation will result in a decrease in Suspended Particulate Matter (PM 10) emissions through the prevention of wind-blown erosion and to trap airborne particulates from both on- and off-site sources (County of Los Angeles 1996).

Initial Study Checklist

Issues	Potentially Significant	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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4. BIOLOGICAL RESOURCES. Would the project:				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U. S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U. S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Conservation Community Plan, other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Existing habitat along the LA River includes: an unlined portion of the river that is populated with riparian habitat in the Sepulveda Basin, and another habitat located slightly upstream and downstream of the Glendale Narrows, from approximately across from Forest Lawn to just downstream of Taylor Yard. In addition, there is foraging habitat (algal based) along the lower reach of the Los Angeles River (above the tidal zone). Overflow from the low flow channel in this reach regularly

Initial Study Checklist

Issues	Potentially Significant	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact

spills onto the river apron (from the low flow channel) creating an algal mat layer that supports migrating shorebirds.

Biological resources are also present adjacent to the river in specific areas and nodes.

A major objective of the LARRMP project is to restore habitat along the LA River which would be beneficial to ecological and biological processes. The project would enhance existing and create new riparian and aquatic habitat to positively affect all native species including candidate, sensitive and special status species. Riparian habitats will support bird populations by providing nesting and cover opportunities and wildlife populations by creating corridors for movement and migration. Aquatic habitat improvements may provide fish access further upstream and into created wetlands for nursery habitat if additional flow results from the project.

The EIR/EIS will evaluate potential impacts to biological resources along the Los Angeles River.

The LARRMP project is not expected to result in direct impacts to existing protected wetlands, as the LARRMP components would be implemented primarily in the urbanized areas of the City. However, creation of treatment wetlands in and around the river to restore missing linkages of fragmented habitat would also be pursued. The EIR/EIS will discuss potential impacts to biological resources at the program-level where applicable.

The LARRMP alternatives are not expected to directly affect the movement of migratory fish or terrestrial wildlife species, as the project area is largely urbanized. None of the alternatives is expected to result in structures or facilities that would impede wildlife corridors or the use of native wildlife nursery sites. Alternatively the project components include elements that would provide habitat to wildlife including constructed treatment wetlands and riparian zones. The EIR/EIS will evaluate the potential to restore habitats and migratory corridors.

However, migratory shore bird habitat in Long Beach along the lower reach of the Los Angeles River is significant and is dependent on flow within the river. The EIR/EIS will evaluate potential to affect migratory bird habitat along the lower reach of the Los Angeles River.

The City of Los Angeles has various tree ordinances and policies that may apply to the LARRMP project. In addition, other jurisdictions (such as the Cities of Burbank and Glendale) may have similar ordinances or policies. The EIR/EIS will discuss

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and evaluate the applicable biological resource policies as they apply to the LARRMP project.

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5. CULTURAL RESOURCES. Would the project:

a) Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

The LARRMP project may affect historic, archeological, and paleontological resources that are located in the vicinity of the River. The EIR/EIS will evaluate the potential impacts of the project on historic, archeological, and paleontological resources. Structures and bridges could be modified or moved as a result of the project components. An inventory will be conducted to determine those that are of historical or cultural significance.

The LARRMP project is not expected to affect formal cemeteries or other places of human burial. The risk of affecting human remains including Native American culture will be addressed in the EIR/EIS. If human remains are exposed during construction, the Los Angeles County Coroner would be contacted in accordance with Section 7050.5 of the State Health and Safety Code. State Health and Safety Code 7050.5 states that no further disturbance shall occur until the County Coroner has made the necessary findings as to origin and disposition pursuant to Public Resources Code 5097.98.

6. GEOLOGY AND SOILS. Would the project

a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Numerous earthquake faults are located in the City and along the project's length which could affect the components of the LARRMP. The EIR will discuss the potential fault and seismic impacts related to the LARRMP project.

Liquefaction is caused by the vibration of loose fine sand or silt that is saturated with water. Liquefaction only occurs if the sediment: 1) is of fine sand or silt size, 2) is loosely consolidated, 3) is saturated, and 4) is subject to vibration. The potential for LARRMP project to be located in liquefaction zones and associated impacts would be discussed in the EIR.

Wet weather management measures that capture and percolate runoff could affect slope stability in the River Corridor. The EIR/EIS will evaluate the general potential for the LARRMP project to affect slope stability from wet weather management projects. If excavation or clearing of a site involves more than 20,000 cu. yd. on a slope of ten percent or more then the potential of landslides is significant. The project components could involve the disturbance of hundreds of acres therefore impacts are possible. The EIR/EIS will discuss the potential soil erosion and landslide impacts of the LARRMP project.

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In addition, runoff could be altered as a result of the project due to rerouting of stormwater discharges and changes of impervious surfaces. Effects on erosion are possible and will be evaluated in the EIR/EIS.

There is a slight potential for soil settlement in and around the River banks, and such impacts would be discussed in the EIR/EIS.

Elements of the LARRMP project may be sited in areas known for expansive soils. However, expansive soils are not anticipated to pose problems for the project. No impact is anticipated and no further analysis is recommended.

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7. HAZARDS AND HAZARDOUS MATERIALS. Would the project:

a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within 2 miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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The objective of the LARRMP project is to create a cleaner and healthier environment within and adjacent to the LA River. It is expected that hazards and hazardous materials will be reduced in the area.

There could be a use of hazardous materials during project construction or as a result of commercial activities following redevelopment. Construction materials will be stored and handled to avoid leakages or spills; however some hazardous materials may be used including petroleum products.

The LARRMP project has the potential to encounter contaminated soils and groundwater (from adjacent industrial properties, historic landfills, superfund sites, etc.), which could pose a safety risk to the public and workers. The EIR/EIS will evaluate the anticipated impacts related to the potential to encounter hazardous materials during construction.

As part of the EIR/EIS, an environmental site assessment would be prepared for the LARRMP project nodes to determine the potential for encountering hazardous materials during construction. The EIR/EIS would evaluate the potential construction-related hazardous materials impacts.

The proposed project may include facilities that would be located within 2 miles of a private airport. The EIR/EIS would discuss potential safety impacts associated with LARRMP components in the vicinity of private airports.

The EIR/EIS will evaluate the potential for LARRMP opportunity area locations to affect emergency response or evacuation plans and routes.

The LARRMP project would be constructed and operated largely in the urban environment and are not expected to occur in areas prone to wildland fires. Consequently, the alternatives are not anticipated to expose people or structures to risk of injury, death, or loss. No further analysis is recommended.

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8. HYDROLOGY AND WATER QUALITY. Would the project:

a) Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner that would result in flooding on- or off-site?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h) Place within a 100-year flood hazard area structures that would impede or redirect flood flows?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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j) Inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The LARRMP project would be designed to comply with existing water quality laws and regulations. One objective of the LARRMP project is to enhance water quality.

The LARRMP project impacts on groundwater quantity and quality will be determined in the EIR/EIS.

Construction of the alternatives could result in the erosion of excavated materials into the local drainage system or water body. Potential impacts to water quality as a result of erosion during construction would be discussed in the EIR/EIS.

Best Management Practices will be followed during construction following the California Storm Water Best Management Practice Handbooks Construction Activities to avoid substantial flooding, erosion or siltation. Supplemental erosion control measure to be implemented include: mulching, geotextiles and mats, earth dikes, temporary drains and gulleys, silt fence, straw bale barriers, sand bag barriers, brush or rock filter, sediment trays, and sediment basins.

Removal of concrete within the channel and exposure of soil to the river system could increase the amount of sedimentation in the river and in the bay. Without mitigation, there may also be the potential for an increase in flood elevations.

The project may result in a decrease in impervious areas which will potentially decrease surface runoff and increase absorption rates. Decreased urban runoff can affect concentration of contaminants entering the River.

The LARRMP project could encourage creation of new housing; however, these are not expected to be located within the 100-year flood hazard area. No further analysis is recommended.

The LARRMP project may affect the existing flood elevation which may require new levees or possible setbacks or the raising of existing levees. Flood potential will not be increased as a result of the proposed project.

Although there are several water bodies, mountains, and hills in and around the City, none of the LARRMP project components would involve elements that could change or increase the risk of inundation by seiche, tsunami, or mudflows.

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9. LAND USE AND PLANNING. Would the project:				
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with any applicable land use plan, policy or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Conflict with any applicable habitat conservation plan or natural communities conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

The LARRMP project does not include facilities that would physically divide an established community. No further analysis is recommended.

A major component of the LARRMP will be to modify and unify land uses and zoning along the River corridor to allow more recreational uses and redevelopment of underutilized industrial sites and provide more consistent land uses and zoning between jurisdictions. The potential for the alternatives to conflict with zoning, general plans, local coastal programs, and other applicable land use plans would be evaluated in the EIR/EIS.

There are no known habitat conservation plans or natural community conservation plans other than those identified in the Conservation Element of Los Angeles General Plan, that would be affected by the LARRMP project. However, there are numerous plans and studies concerning the Los Angeles River, which the project could affect. The EIR/EIS would discuss the applicable plan and studies concerning the LA River and assess compatibility of the alternatives to those plans.

Comprehensive changes to zoning and land uses across several jurisdictions may occur as a result of the project, including the creation of a River protection zone. These changes are expected to have beneficial impacts on the environment.

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10. MINERAL RESOURCES. Would the project:				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

The LA River is in a largely urbanized area and is generally not used for mineral extraction. However, the Hansen Dam area is mined for rock and aggregate material. As such, the EIR/EIS would discuss the potential for the project to affect the availability of mineral resources.

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11. NOISE. Would the project result in:				
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within 2 miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Construction and redevelopment actions may increase noise levels. Construction could take a few years to complete and may include activities such as pile driving. The EIR/EIS would discuss the potential for temporary and long-term changes in noise levels.

The redevelopment component from the project would involve a shift of land use from industrial to commercial and residential which should lower noise impacts in the area.

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12. POPULATION AND HOUSING. Would the project:				
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

The issues related to LARRMP and the SCAG projected population growth in the area would be discussed in the EIR/EIS

Some of the components of the LARRMP opportunity areas could be constructed on parcels currently occupied by commercial and/or industrial structures, but protection of residential structures would likely occur since one of the priorities of the project is to avoid displacing existing housing. The EIR/EIS will identify and evaluate the potential housing displacement impacts. Significant displacement would equate to a net loss equal or greater than a one-half block equivalent of habitable housing units through demolition, conversion, or other means (equivalent to 15 single-family or 25 multi-family dwelling units). The EIR/EIS will also evaluate if any displacement of housing were to affect affordable to very low- or low-income households (as defined by federal and/or City standards).

As a result of this project, economic and residential development adjacent to existing communities would be encouraged. The development encouraged in this project is intended to promote the River as an economic asset to the adjacent, established communities (LA County 1996). This development is expected to be small in scale and would not result in large increases in employment or population growth. This growth is not expected to exceed official local population projections. The EIR/EIS will identify and evaluate the potential population growth impacts.

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13. PUBLIC SERVICES. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered government facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

a) Fire protection?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Police protection?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Schools?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Other public facilities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

The LARRMP project could include a housing component that could directly result in increases in demand for fire protection services. The EIR/EIS will discuss the potential for the LARRMP to affect the provision of fire protection services.

The LARRMP project could include a housing component that could directly result in increases in demand for police protection services. The EIR/EIS will discuss the potential for LARRMP nodes to affect the provision of police protection services.

The LARRMP project could include a housing component. The EIR/EIS will discuss the potential for increase in demand for schools or school capacity.

The LARRMP project includes the creation of parks and open space therefore potentially requiring more services to the facilities, but would also be creating more services such as parks and recreation opportunities.

The LARRMP project could include a housing component that could directly result in increases in demand for other public services.

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14. RECREATION.

a) Would the project increase the use of existing neighborhood or regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

The LARRMP project would provide a beneficial effect on recreation in the City by increasing existing parks, open space, and recreational facilities. In areas where these new facilities are adjacent to existing parks and recreational facilities, the demand and use could increase. The effects that these facilities would have on the environment will be addressed in the EIR/EIS.

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15. TRANSPORTATION/TRAFFIC. Would the project:				
a) Cause an increase in traffic that is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially increase hazards to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g. farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in inadequate emergency access?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f) Result in inadequate parking capacity?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
g) Conflict with adopted policies supporting alternative transportation (e.g., bus turnouts, bicycle racks)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Elements of the LARRMP project may increase the volume of traffic and congestion at intersections on adjacent roads. The EIR/EIS will discuss potential impacts to road congestion that could result from project operation or construction.

The LARRMP project is not expected to affect air travel patterns or demand for air travel. No further analysis is recommended.

The LARRMP alternatives will not include components that increase hazards or create incompatible uses in transportation/traffic.

During construction the use of streets and public rights-of-way, could temporarily result in inadequate emergency access and road closures. During construction, the project could increase the demand for parking and could reduce the amount of on-

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street parking. However, upon completion, the project should provide better emergency access and increases in long-term parking capacity within the project vicinity. The EIR/EIS will address the affect of the project on parking capacity.

The LARRMP project proposes to create bike lanes adjacent to the river corridor which would benefit the City's goal in supporting alternative transportation. The EIR/EIS would evaluate the potential of the LARRMP project to conflict with polices supporting alternative transportation.

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16. UTILITIES AND SERVICE SYSTEMS. Would the project:				
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Result in a determination by the wastewater treatment provider that serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
g) Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The LARRMP project would meet wastewater treatment requirements established by the Regional Water Quality Control Board.

The project could include the construction of new storm water drainage facilities and/or expansion of existing facilities including wetlands for tertiary treatment of wastewater. The construction of these elements will be evaluated in the EIR/EIS to determine the significance of environmental effects.

The EIR/EIS will evaluate the availability of sufficient water supplies to serve the project from existing entitlements and resources.

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The EIR/EIS will evaluate the available capacity of the wastewater treatment provider(s) that may serve the project and the ability to meet the project's projected demand.

There will probably be no potential impacts to landfill capacity from the LARRMP project. During construction, there will be little increased disposal needs. Population increases as a result of new residential and commercial land uses in the project area may result in the need for more trash removal service long-term.

The LARRMP alternatives would be implemented over the next 20 years or more. Standard City practices and standard provisions in City construction contracts require compliance with all applicable federal, state, and local laws, including those related to solid waste. No further analysis is recommended.

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17. MANDATORY FINDINGS OF SIGNIFICANCE.

a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Does the project have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

The LARRMP is likely to benefit fish and wildlife and incrementally reverse the overall cumulative effects that have occurred along the River corridor.

The LARRMP alternatives have the potential to degrade the environment either temporarily during construction or long-term as a result of redevelopment related to:

- Air Quality
- Aesthetics
- Cultural Resources
- Hazards and Hazardous Materials
- Hydrology and Water Quality
- Land Use/Planning
- Noise
- Population and Housing
- Public Services
- Recreation
- Transportation/Traffic
- Utilities and Service Systems

Initial Study Checklist

Issues	Potentially Significant	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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The EIR/EIS will discuss the anticipated cumulative benefits and impacts of the LARRMP alternatives.

**Tentative Regional Board Resolution on Trash
TMDL Set Aside**

**State of California
California Regional Water Quality Control Board, Los Angeles Region**

RESOLUTION NO. 06-0XX

June 8, 2006

**Amendment to the Water Quality Control Plan for the Los Angeles Region
to set aside the Total Maximum Daily Load for Trash in the
Los Angeles River Watershed**

WHEREAS, the California Regional Water Quality Control Board, Los Angeles Region, finds that:

1. The Federal Clean Water Act (CWA) requires the California Regional Water Quality Control Board (Regional Board) to develop water quality objectives which are sufficient to protect beneficial uses for each water body found within its region.
2. A consent decree between the U.S. Environmental Protection Agency (USEPA), Heal the Bay, Inc. and BayKeeper, Inc. was approved on March 22, 1999. This court order directs the USEPA to complete Total Maximum Daily Loads (TMDLs) for all impaired waters within 13 years. A schedule was established in the consent decree for the completion of the first 29 TMDLs within 7 years. The remaining TMDLs will be scheduled by Regional Board staff within the 13-year period.
3. Upon establishment of TMDLs by the State or USEPA, the State is required to incorporate the TMDLs along with appropriate implementation measures into the State Water Quality Management Plan (40 CFR 130.6(c)(1), 130.7, Wat. C. § 13242). This Water Quality Control Plan for the Los Angeles Region (Basin Plan), and applicable statewide plans, serves as the State Water Quality Management Plans governing the watersheds under the jurisdiction of the Regional Board.
5. The Los Angeles River is located in Los Angeles County, California. The Los Angeles River flows 51 miles from the western end of the San Fernando Valley to the Queensway Bay and Pacific Ocean at Long Beach. Also parts of the watershed include a number of lakes including Peck Lake, Echo Lake, and Lincoln Lake.
4. On September 19, 2001, the Regional Board adopted a Basin Plan Amendment (Resolution 01-013) incorporating the Los Angeles River Trash TMDL into the Water Quality Control Plan (Basin Plan) for the Coastal Watersheds of Los Angeles and Ventura Counties. The TMDL was created to implement narrative water quality objectives that require:
 - “Waters shall not contain floating materials, including solids, liquids, foams, and scum, in concentrations that cause nuisance or adversely affect beneficial uses;” and
 - “Waters shall not contain suspended or settleable material in concentrations that cause nuisance or adversely affect beneficial uses.”
5. Beneficial uses of the Los Angeles River and surrounds include wildlife and marine habitat, including habitat for endangered species, and recreational activities such as fishing, walking, hiking, jogging, bicycling, horseback riding, bird watching and photography.
6. The Regional Board determined that the primary source of trash is litter from the streets of the cities that surround the Los Angeles River. When a storm event occurs, the litter is washed through the sewers, into the Los Angeles River, and into the Estuary and onto the beaches at Long Beach.

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7. Twenty-two cities¹ (“Cities”) sued the Los Angeles Regional Water Quality Control Board (Los Angeles Water Board) and State Water Resources Control Board (State Water Board) to set aside the TMDL, which would halt the thousands of tons of garbage that blankets the Los Angeles River and estuary.
8. The trial court entered an order deciding some claims in favor of the Los Angeles Water Board and State Water Board (collectively “California Water Boards”), and some in favor of the Cities. Both sides appealed, and on January 26, 2006, the Court of Appeal decided every one of the Cities’ claims in favor of the California Water Boards, except with respect to their CEQA compliance. (*City of Arcadia et al., Los Angeles Regional Water Quality Control Board et al.* (2006) 135 Cal.App.4th 1392.) The Cities filed a petition for review by the California Supreme Court, but on April 19, 2006, the Supreme Court declined to hear any of the Cities’ claims.
9. The Court of Appeal rejected the following claims litigated by the Cities:
 - a. The Court rejected the Cities’ claim that the target of zero trash is unattainable and inordinately expensive. (135 Cal.App.4th at 1413 and 1427-1430.)
 - b. The Court rejected the Cities’ claim that an assimilative capacity study was required before the Water Boards could determine how much trash, a pollutant that does not assimilate, would violate the narrative objectives. (135 Cal.App.4th at 1409-1413.)
 - c. The Court rejected the Cities’ claim that the California Water Boards were required, but failed, to conduct a cost/benefit analysis and consideration of economic factors. (135 Cal.App.4th at 1415-1418.)
 - d. The Court rejected the Cities’ claim that the California Water Boards were prohibited from establishing a TMDL for the Los Angeles River Estuary until it was formally listed on the 303(d) list. (135 Cal.App.4th at 1418-1420.)
 - e. The Court rejected the Cities’ claims that TMDLs for storm water may not require agencies to perform better than the “maximum extent practicable”, and must allow compliance through best management practices. (135 Cal.App.4th at 1427-1430.)
 - f. The Court rejected the Cities’ claim that the California Water Boards were required to implement load allocations for nonpoint sources of trash pollution. (135 Cal.App.4th at 1430-1432.)
 - g. The Court rejected the Cities’ claim that the California Water Boards failed to adhere to the data collection and analysis required by federal and state law (135 Cal.App.4th at 1433-34.)
 - h. The Court rejected the Cities’ claim that the California Water Boards relied on nonexistent, illegal, and irrational uses to be made of the Los Angeles River. (135 Cal.App.4th at 1432-33.)
 - i. The Court rejected the Cities’ claim that the California Water Boards violated the Administrative Procedures Act (APA). (135 Cal.App.4th at 1434-35.)
10. The Court did find, however, that the California Water Boards did not adequately complete the environmental checklist, and that evidence of a “fair argument” of significant impacts existed such that the California Water Boards should have performed an EIR level of analysis. (135 Cal.App.4th at 1420-26.) The Court therefore declared the Trash TMDL void, and issued a writ of mandate that orders the California Water Boards to set aside and not implement the TMDL, until it has been brought into compliance with California Environmental Quality Act. A Return to the writ must be filed by July 24, 2006.

¹ The cities include Arcadia, Baldwin Park, Bellflower, Cerritos, Commerce, Diamond Bar, Downey, Irwindale, Lawndale, Monrovia, Montebello, Monterey Park, Pico Rivera, Rosemead, San Gabriel, Santa Fe Springs, Sierra Madre, Signal Hill, South Pasadena, Vernon, West Covina, and Whittier. They are members of a group that refers to itself as “The Coalition for Practical Regulation.”

11. Staff is diligently working on revising the CEQA analysis, and hopes to present the TMDL for re-adoption sometime this fall.

THEREFORE, be it resolved that pursuant to sections 13240 and 13242 of the Water Code, the Regional Board hereby:

1. Sets aside the Los Angeles River Trash TMDL, and resolution # 01-013 which established it;
2. Authorizes and instructs the Executive Officer to convey this resolution to the State Water Board, in accordance with the requirements of section 13245 of the California Water Code;
3. Requests that the State Water Board approve resolution in accordance with the requirements of sections 13245 and 13246 of the California Water Code and forward it to OAL and the USEPA.

BE IT FURTHER RESOLVED, that:

4. If during its approval process Regional Board staff, the State Board or OAL determines that minor, non-substantive corrections to the language of the amendment are needed for clarity or consistency, the Executive Officer may make such changes, and shall inform the Board of any such changes;
5. The Executive Officer is directed to cause a Return to the writ to be prepared and timely filed with the Superior Court; and
6. The Executive Officer is directed to ensure that the Regional Board complies with all relevant terms of the writ, as modified by the Appellate Decision, including the applicable provisions of CEQA.

I, Jonathan Bishop, Executive Officer, do hereby certify that the foregoing is a full, true, and correct copy of a resolution adopted by the California Regional Water Quality Control Board, Los Angeles Region, on. June 8, 2006.

Jonathan S. Bishop
Executive Officer

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A.B. 140 Text

A.B. 140

BILL NUMBER: AB 140 CHAPTERED
BILL TEXT

CHAPTER 33

FILED WITH SECRETARY OF STATE MAY 19, 2006

APPROVED BY GOVERNOR MAY 19, 2006

PASSED THE ASSEMBLY MAY 5, 2006

PASSED THE SENATE MAY 4, 2006

AMENDED IN SENATE MAY 4, 2006

INTRODUCED BY Assembly Member Nunez and Senator Perata

JANUARY 13, 2005

An act to add Chapter 1.699 (commencing with Section 5096.800) to Division 5 of the Public Resources Code, relating to financing disaster preparedness and flood prevention projects, by providing the funds necessary therefor through an election for the issuance and sale of bonds of the State of California and for the handling and disposition of those funds, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

AB 140, Nunez Disaster Preparedness and Flood Prevention Bond Act of 2006.

Under existing law, various measures have been approved by the voters to provide funds for water projects, facilities, and programs.

This bill would enact the Disaster Preparedness and Flood Prevention Bond Act of 2006, which would, if approved by the voters, authorize the issuance and sale of bonds in the amount of \$4,090,000,000 for the purposes of financing disaster preparedness and flood prevention projects.

This bill would require the Secretary of State to submit this bond act to the voters at the November 7, 2006, statewide general election.

The bill would declare that it is to take effect immediately as an urgency statute.

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Chapter 1.699 (commencing with Section 5096.800) is added to Division 5 of the Public Resources Code, to read:

CHAPTER 1.699. Disaster Preparedness and Flood Prevention Bond Act of 2006

Article 1. General Provisions

5096.800. This chapter shall be known and may be cited as the Disaster Preparedness and Flood Prevention Bond Act of 2006.

Article 2. Definitions

5096.805. Unless the context otherwise requires, the definitions set forth in this article govern the construction of this chapter.

(a) "Board" means the Reclamation Board or successor entity.

(b) "Committee" means the Disaster Preparedness and Flood Prevention Bond Finance Committee, created by Section 5096.957.

(c) "Delta" means the area of the Sacramento-San Joaquin Delta as defined in Section 12220 of the Water Code.

(d) "Department" means the Department of Water Resources.

(e) "Facilities of the State Plan of Flood Control" means the levees, weirs, channels, and other features of the federal and state authorized flood control facilities located in the Sacramento and San Joaquin River drainage basin for which the board or the department has given the assurances of nonfederal cooperation to the United States required for the project, and those facilities identified in Section 8361 of the Water Code.

(f) "Fund" means the Disaster Preparedness and Flood Prevention Bond Fund of 2006, created by Section 5096.806.

(g) "Project levees" means the levees that are part of the facilities of the State Plan of Flood Control.

(h) "Restoration" means the improvement of a physical structure or facility and, in the case of natural system and landscape features includes, but is not limited to, a project for the control of erosion, the control and elimination of exotic species, including prescribed burning, fuel hazard reduction, fencing out threats to existing or restored natural resources, road elimination, and other plant and wildlife habitat improvement to increase the natural system value of the property. A restoration project shall include the planning, monitoring, and reporting necessary to ensure successful implementation of the project objectives.

(i) "State General Obligation Bond Law" means the State General Obligation Bond Law (Chapter 4 (commencing with Section 16720) of Part 3 of Division 4 of Title 2 of the Government Code).

(j) "State Plan of Flood Control" means the state and federal flood control works, lands, programs, plans, conditions, and mode of maintenance and operations of the Sacramento River Flood Control Project described in Section 8350 of the Water Code, and of flood control projects in the Sacramento River and San Joaquin River watersheds authorized pursuant to Article 2 (commencing with Section 12648) of Chapter 2 of Part 6 of Division 6 of the Water Code for which the board or the department has provided the assurances of nonfederal cooperation to the United States, which shall be updated by the department and compiled into a single document entitled "The State Plan of Flood Control."

(k) "Urban area" means any contiguous area in which more than 10,000 residents are protected by project levees.

Article 3. Disaster Preparedness and Flood Prevention Bond Fund of 2006

5096.806. The proceeds of bonds issued and sold pursuant to this chapter shall be deposited in the Disaster Preparedness and Flood Prevention Bond Fund of 2006, which is hereby created.

Article 4. Disaster Preparedness and Flood Prevention Program

5096.820. (a) The sum of four billion ninety million dollars (\$4,090,000,000) shall be available, upon appropriation therefor, for disaster preparedness and flood prevention projects pursuant to this article.

(b) In expending funds pursuant to this article, the Governor shall do all of the following:

(1) Secure the maximum feasible amounts of federal and local matching funds to fund disaster preparedness and flood prevention projects in order to ensure prudent and cost-effective use of these funds to the extent that this does not prohibit timely implementation of this article.

(2) Prioritize project selection and project design to achieve maximum public benefits from the use of these funds.

(3) In connection with the submission of the annual Governor's Budget, submit an annual Bond Expenditure Disaster Preparedness and Flood Prevention Plan that describes in detail the proposed expenditures of bond funds, the amount of federal appropriations and local funding obtained to fund disaster preparedness and flood prevention projects to match those expenditures, and an investment strategy to meet long-term flood protection needs and minimize state taxpayer liabilities from flooding.

5096.821. Three billion dollars (\$3,000,000,000) shall be available, upon appropriation to the department, for the following purposes:

(a) The evaluation, repair, rehabilitation, reconstruction, or replacement of levees, weirs, bypasses, and facilities of the State Plan of Flood Control by all of the following actions:

(1) Repairing erosion sites and removing sediment from channels or bypasses.

(2) Evaluating and repairing levees and any other facilities of the State Plan of Flood Control.

(3) Implementing mitigation measures for a project undertaken pursuant to this subdivision. The department may fund participation in a natural community conservation plan pursuant to Chapter 10 (commencing with Section 2800) of Division 3 of the Fish and Game Code to facilitate projects authorized by this subdivision.

(b) Improving or adding facilities to the State Plan of Flood Control to increase levels of flood prevention for urban areas,

including all related costs for mitigation and infrastructure relocation. Funds made available by this subdivision may be expended for state financial participation in federal and state authorized flood control projects, feasibility studies and design of federal flood damage reduction and related projects, and reservoir reoperation and groundwater flood storage projects. Not more than two hundred million dollars (\$200,000,000) may be expended on a single project, excluding authorized flood control improvements to Folsom Dam.

(c) (1) To reduce the risk of levee failure in the delta.

(2) The funds made available for the purpose specified in paragraph (1) shall be expended for both of the following purposes:

(A) Local assistance under the delta levee maintenance subventions program under Part 9 (commencing with Section 12980) of Division 6 of the Water Code, as that part may be amended.

(B) Special flood protection projects under Chapter 2 (commencing with Subdivision 12310) of Part 4.8 of Division 6 of the Water Code, as that chapter may be amended.

5096.824. (a) Five hundred million dollars (\$500,000,000) shall be available, upon appropriation to the department, for payment for the state's share of the nonfederal costs, and related costs, of flood control and flood prevention projects authorized under any of the following:

(1) The State Water Resources Law of 1945 (Chapter 1 (commencing with Section 12570) and Chapter 2 (commencing with Section 12639) of Part 6 of Division 6 of the Water Code).

(2) The Flood Control Law of 1946 (Chapter 3 (commencing with Section 12800) of Part 6 of Division 6 of the Water Code).

(3) The California Watershed Protection and Flood Prevention Law (Chapter 4 (commencing with Section 12850) of Part 6 of Division 6 of the Water Code).

(b) The costs described in subdivision (a) include costs incurred in connection with either of the following:

(1) The granting of credits or loans to local agencies, as applicable, pursuant to Sections 12585.3, 12585.4 of, subdivision (d) of Section 12585.5 of, and Sections 12866.3 and 12866.4 of, the Water Code.

(2) The implementation of Chapter 3.5 (commencing with Section 12840) of Part 6 of Division 6 of the Water Code.

(c) The funds made available by this section shall be allocated only to projects that are not part of the State Plan of Flood Control.

5096.825. Two hundred ninety million dollars (\$290,000,000) shall be available, upon appropriation, for the protection, creation, and enhancement of flood protection corridors and bypasses through any of the following actions:

(a) Acquiring easements and other interests in real property to protect or enhance flood protection corridors and bypasses while preserving or enhancing the agricultural use of the real property.

(b) Constructing new levees necessary for the establishment of a

flood protection corridor or bypass.

(c) Setting back existing flood control levees, and in conjunction with undertaking those setbacks, strengthening or modifying existing levees and weirs.

(d) Relocating or flood proofing structures necessary for the establishment of a flood protection corridor.

(e) Acquiring interests in, or providing incentives for maintaining agricultural uses of, real property that is located in a flood plain that cannot reasonably be made safe from future flooding.

(f) Acquiring easements and other interests in real property to protect or enhance flood protection corridors while preserving or enhancing the wildlife value of the real property.

(g) Flood plain mapping and related activities, including both of the following:

(1) The development of flood hazard maps, including all necessary studies and surveys.

(2) Alluvial fan flood plain mapping.

5096.827. Three hundred million dollars (\$300,000,000) shall be available, upon appropriation to the department, for grants for stormwater flood management projects that meet all of the following requirements:

(a) Have a nonstate cost share of not less than 50 percent.

(b) Are not part of the State Plan of Flood Control.

(c) Are designed to manage stormwater runoff to reduce flood damage and where feasible, provide other benefits, including groundwater recharge, water quality improvement, and ecosystem restoration.

(d) Comply with applicable regional water quality control plans.

(e) Are consistent with any applicable integrated regional water management plan.

5096.828. Funds provided by this article are only available for appropriation until July 1, 2016, and at that time the amount of indebtedness authorized by this chapter shall be reduced by the amount of funds provided by this article that have not been appropriated.

Article 16. Program Expenditures

5096.953. The Secretary of the Resources Agency shall provide for an independent audit of expenditures pursuant to this chapter to ensure that all moneys are expended in accordance with the requirements of this chapter. The secretary shall publish a list of all program and project expenditures pursuant to this chapter not less than annually, in written form, and shall post an electronic form of the list on the Resources Agency's Internet Web site.

Article 17. Fiscal Provisions

5096.955. (a) Bonds in the total amount of four billion ninety million dollars (\$4,090,000,000), not including the amount of any refunding bonds issued in accordance with Section 5096.966, or so much thereof as is necessary, may be issued and sold to provide a

fund to be used for carrying out the purposes expressed in this chapter and to reimburse the General Obligation Bond Expense Revolving Fund pursuant to Section 16724.5 of the Government Code. The bonds, when sold, shall be and constitute valid and binding obligations of the State of California, and the full faith and credit of the State of California is hereby pledged for the punctual payment of both principal of, and interest on, the bonds as the principal and interest become due and payable.

(b) The Treasurer shall sell the bonds authorized by the committee pursuant to this section. The bonds shall be sold upon the terms and conditions specified in a resolution to be adopted by the committee pursuant to Section 16731 of the Government Code.

5096.956. The bonds authorized by this chapter shall be prepared, executed, issued, sold, paid, and redeemed as provided in the State General Obligation Bond Law, and all of the provisions of that law apply to the bonds and to this chapter and are hereby incorporated in this chapter as though set forth in full in this chapter.

5096.957. (a) Solely for the purpose of authorizing the issuance and sale, pursuant to the State General Obligation Bond Law, of the bonds authorized by this chapter, the Disaster Preparedness and Flood Prevention Bond Finance Committee is hereby created. For the purposes of this chapter, the Disaster Preparedness and Flood Prevention Bond Finance Committee is "the committee" as that term is used in the State General Obligation Bond Law. The committee consists of the Controller, the Director of Finance, and the Treasurer, or their designated representatives. The Treasurer shall serve as chairperson of the committee. A majority of the committee may act for the committee.

(b) For purposes of the State General Obligation Bond Law, the department is designated the "board."

5096.958. The committee shall determine whether or not it is necessary or desirable to issue bonds authorized pursuant to this chapter to carry out this chapter and, if so, the amount of bonds to be issued and sold. Successive issues of bonds may be authorized and sold to carry out those actions progressively, and it is not necessary that all of the bonds authorized to be issued be sold at any one time.

5096.959. There shall be collected each year and in the same manner and at the same time as other state revenue is collected, in addition to the ordinary revenues of the state, a sum in an amount required to pay the principal of, and interest on, the bonds each year, and it is the duty of all officers charged by law with any duty in regard to the collection of the revenue to do and perform each and every act which is necessary to collect that additional sum.

5096.960. Notwithstanding Section 13340 of the Government Code, there is hereby appropriated from the General Fund in the State Treasury, for the purposes of this chapter, an amount that will equal the total of the following:

(a) The sum annually necessary to pay the principal of, and interest on, bonds issued and sold pursuant to this chapter, as the

principal and interest become due and payable.

(b) The sum that is necessary to carry out Section 5096.963, appropriated without regard to fiscal years.

5096.961. The department may request the Pooled Money Investment Board to make a loan from the Pooled Money Investment Account, in accordance with Section 16312 of the Government Code, for the purpose of carrying out this chapter. The amount of the request shall not exceed the amount of the unsold bonds that the committee has, by resolution, authorized to be sold for the purpose of carrying out this chapter. The department shall execute those documents required by the Pooled Money Investment Board to obtain and repay the loan. Any amounts loaned shall be deposited in the fund to be allocated by the department in accordance with this chapter.

5096.962. Notwithstanding any other provision of this chapter, or of the State General Obligation Bond Law, if the Treasurer sells bonds that include a bond counsel opinion to the effect that the interest on the bonds is excluded from gross income for federal tax purposes under designated conditions, the Treasurer may maintain separate accounts for the bond proceeds invested and for the investment earnings on those proceeds, and may use or direct the use of those proceeds or earnings to pay any rebate, penalty, or other payment required under federal law or take any other action with respect to the investment and use of those bond proceeds, as may be required or desirable under federal law in order to maintain the tax-exempt status of those bonds and to obtain any other advantage under federal law on behalf of the funds of this state.

5096.963. For the purposes of carrying out this chapter, the Director of Finance may authorize the withdrawal from the General Fund of an amount or amounts not to exceed the amount of the unsold bonds that have been authorized by the committee to be sold for the purpose of carrying out this chapter. Any amounts withdrawn shall be deposited in the fund. Any money made available under this section shall be returned to the General Fund, with interest at the rate earned by the money in the Pooled Money Investment Account, from proceeds received from the sale of bonds for the purpose of carrying out this chapter.

5096.964. All money deposited in the fund that is derived from premium and accrued interest on bonds sold pursuant to this chapter shall be reserved in the fund and shall be available for transfer to the General Fund as a credit to expenditures for bond interest.

5096.965. Pursuant to Chapter 4 (commencing with Section 16720) of Part 3 of Division 4 of Title 2 of the Government Code, the cost of bond issuance shall be paid out of the bond proceeds. These costs shall be shared proportionally by each program funded through this bond act.

5096.966. The bonds issued and sold pursuant to this chapter may be refunded in accordance with Article 6 (commencing with Section 16780) of Chapter 4 of Part 3 of Division 4 of Title 2 of the Government Code, which is a part of the State General Obligation Bond Law. Approval by the electors of the state for the issuance of the

bonds under this chapter shall include approval of the issuance of any bonds issued to refund any bonds originally issued under this chapter or any previously issued refunding bonds.

5096.967. The Legislature hereby finds and declares that, inasmuch as the proceeds from the sale of bonds authorized by this chapter are not "proceeds of taxes" as that term is used in Article XIII B of the California Constitution, the disbursement of these proceeds is not subject to the limitations imposed by that article.

SEC. 2. (a) Section 1 of this act shall become operative upon the adoption by the voters of the Disaster Preparedness and Flood Prevention Bond Act of 2006, as set forth in Section 1 of this act.

SEC. 3. Notwithstanding Sections 13115 and 13117 of the Elections Code, the following measures shall be placed on the ballot for the November 7, 2006, statewide general election in the following order:

(a) Senate Constitutional Amendment No. 7 of the 2005-06 Regular Session shall be placed first on the ballot and shall be designated as Proposition 1A.

(b) The Highway Safety, Traffic Reduction, Air Quality, and Port Security Bond Act of 2006 shall be placed second on the ballot and shall be designated as Proposition 1B.

(c) The Housing and Emergency Shelter Trust Fund Act of 2006 shall be placed third on the ballot and shall be designated as Proposition 1C.

(d) The Kindergarten-University Public Education Facilities Bond Act of 2006 shall be placed fourth on the ballot and shall be designated as Proposition 1D.

(e) The Disaster Preparedness and Flood Prevention Bond Act of 2006 shall be placed fifth on the ballot and shall be designated as Proposition 1E.

SEC. 4. (a) Notwithstanding any other provision of law, all ballots of the November 7, 2006, statewide general election shall have printed thereon and in a square thereof, exclusively, the words: "Disaster Preparedness and Flood Prevention Bond Act of 2006" and in the same square under those words, the following in 8-point type:

"This act rebuilds and repairs California's most vulnerable flood control structures to protect homes and prevent loss of life from flood-related disasters, including levee failures, flash floods, and mudslides; it protects California's drinking water supply system by rebuilding delta levees that are vulnerable to earthquakes and storms; by authorizing a \$4.09 billion dollar bond act."

Opposite the square, there shall be left spaces in which the voters may place a cross in the manner required by law to indicate whether they vote for or against the act.

(b) Notwithstanding Sections 13247 and 13281 of the Elections Code, the language in subdivision (a) shall be the only language included in the ballot label for the condensed statement of the ballot title, and the Attorney General shall not supplement, subtract

from, or revise that language, except that the Attorney General may include the financial impact summary prepared pursuant to Section 9087 of the Elections Code and Section 88003 of the Government Code. The ballot label is the condensed statement of the ballot title and the financial impact summary.

(c) Where the voting in the election is done by means of voting machines used pursuant to law in the manner that carries out the intent of this section, the use of the voting machines and the expression of the voters' choices by means thereof are in compliance with this section.

SEC. 5. This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting the necessity are:

In order to provide for the submission of Section 1 of this act to the voters at the November 7, 2006, statewide general election, and to provide for improved disaster preparedness and flood prevention, as soon as possible, it is necessary that this act take effect immediately.

A.B. 142 Text

A.B. 142

BILL NUMBER: AB 142 CHAPTERED
BILL TEXT

CHAPTER 34
FILED WITH SECRETARY OF STATE MAY 19, 2006
APPROVED BY GOVERNOR MAY 19, 2006
PASSED THE ASSEMBLY MAY 5, 2006
PASSED THE SENATE MAY 4, 2006
AMENDED IN SENATE MAY 4, 2006
AMENDED IN SENATE JULY 6, 2005

INTRODUCED BY Assembly Member Nunez and Senator Perata

JANUARY 20, 2005

An act relating to flood control, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

AB 142, Nunez Flood control: levee repair and flood control systems.

Existing law establishes the Department of Water Resources, which is given various duties with respect to flood control.

This bill would appropriate \$500,000,000 from the General Fund to the department for levee evaluation and repair, and related work, and flood control system improvements. The bill would require that levee repairs for those critical levee erosion sites identified under a specified Governor's executive order be made with funds appropriated pursuant to the bill's provisions.

This bill would declare that it is to take effect immediately as an urgency statute.

Appropriation: yes.

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. (a) The sum of five hundred million dollars (\$500,000,000) is hereby appropriated from the General Fund to the Department of Water Resources for levee evaluation and repair and related work, and flood control system improvements.

(b) Notwithstanding any other provision of law, including Chapter 7 (commencing with Section 8550) of Division 1 of Title 2 of the Government Code, levee repairs for those critical levee erosion sites identified under Governor's Executive Order S-01-06 shall be made with funds appropriated pursuant to this section.

SEC. 2. This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting the necessity are:

In order to reduce the threat of potential flood damage and loss of life, it is necessary that this act take immediate effect.

**Additional Bond Measure Detail on Geographic
Priorities for Project Funding**

Attachment 5

Overview of Bond Measure and Geographic Priorities

A catastrophic flood would impact all of California. The Courts have determined the state is liable for flood related damages caused by levee failures, and so every taxpayer will foot the bill for a disaster. Major levee failures in the Sacramento-San Joaquin Delta would disrupt water supplies to the Bay Area, and Central and Southern California. For example, a 6.5 magnitude earthquake could result in 30 levee breaks, with economic losses of \$30-40 billion and about 30,000 lost jobs.

Of the total bond, \$3 billion would go to the Delta and state-federal project levees. Of the remaining \$1.09 billion, \$500 million is for statewide flood control subventions; \$300 million for grants to local governments for stormwater flood management, and \$290 million for alluvial floodplains and bypasses.

The majority of these funds would go to Bay Area, Southern California, and Napa communities. The projects listed by-county, below, could potentially receive directed funding from the \$1.09 billion total.

Central Valley

Sacramento and San Joaquin Counties

The anticipated impact of major flooding on the Sacramento area:

- The City of Sacramento suffers approximately \$11 billion in immediate damages, \$15 billion in indirect damages, and \$1.8 billion in relief and rescue costs.
- In urban areas around Sacramento, the economic toll of a 200-year flood could reach nearly \$7 billion.
- 2.5-3 months to fix the levee breaks and get the water out.
- Billions in economic losses and thousands of jobs lost.
 - Stockton port shut down for an extended period.

The anticipated impact of major flooding in San Joaquin County and the Delta area:

- Catastrophic Delta levee breach places pressures on other area levees, causing additional levee breaches in ensuing months.
- An additional 200 miles of levees are weakened by slumping, cracking and seepage.
- Immediate and sustained transportation disruptions due to flooding on Highways 12 and 160.
- Natural gas and oil pipelines rupture, railroad embankments fail, multiple hazardous waste spills
- Billions in economic losses and thousands of jobs lost.
- Port of Stockton shut down for an extended period.
- As many as 85,000 acres of agricultural land and crops flooded and 3,000 homes inundated

Bond allocations:*

- Of the total bond, \$3 billion would go to the Delta and state-federal project levees in the Central Valley. As a primary floodplain, Sacramento and San Joaquin county projects will benefit from a portion of these funds.
- The bond will include funds for projects to improve levees on the Sacramento and American Rivers and to improve Folsom Dam's ability to protect Sacramento from flooding.

Fresno, Kern, Madera, Merced and Stanislaus Counties

The anticipated impact of major flooding on the Central Valley:

- State Water Project supplies disrupted, straining water availability throughout Central Valley.
- Central Valley Project water supplies disrupted, threatening millions of annual acre-feet of water for agricultural use.

Bond allocations:*

- Levee projects in these counties would be eligible for funding as part of the \$3 billion allocated by the bond to improve state-federal project levees and flood systems.
- Fresno would receive \$10,000 in directed funding for Redbank and Fancher Creeks projects.
- Cities and unincorporated San Joaquin Valley counties are eligible for stormwater runoff grants under the \$300 million allocation in the bond proposal.
- The bond will provide funding for improving flood protection to City of Merced and surrounding lands in Merced County, which experienced significant flood damage in 1998 and 2006. The first phase of the project protecting this area is nearly complete.
 - The bond will also provide funding for the second phase Merced County Streams Project, and may include construction of a flood bypass channel (Black Rascal Diversion), enlargement of Burns Dam on Burns Creek and Bear Dam on Bear Creek, and various channel and levee improvements, providing greater than 100-year protection to the area.

Greater Bay Area

Alameda, Contra Costa, San Francisco, Marin, Sonoma, and Napa Counties

The anticipated impact of major flooding on the greater Bay Area:

- Immediate cessation of Delta water exports to Contra Costa and the State Water Project, threatening water supplies to the rest of the East Bay and Silicon Valley.
- Failure of the Mokelumne Aqueduct, threatening water supplies for the East Bay Municipal Utility District.
- Immediate and sustained transportation disruptions due to flooding on Highway 12 and Highway 160.
- Natural gas and oil pipeline ruptures, railroad embankment failures, and multiple hazardous waste spills.
- Billions in economic losses and thousands of jobs lost in Bay and Central Valley region.

Bond allocations:*

- Alameda County would receive approximately \$7.9 million: Estudillo Canal - \$4 million; Laguna Creek - \$1 million; Upper Penitencia Creek - \$2.9 million.

- o Contra Costa County would receive approximately \$100,000 for Wildcat and San Pablo Creek projects.
- o Marin County would receive approximately \$100,000: Corte Madera - \$100,000
- o Napa County would receive approximately \$124 million: City of Helena - \$16 million; Napa River - \$108 million
- o Sonoma County would receive approximately \$700,000: Petaluma River - \$700,000.

South Bay and North Central Coast

San Mateo, Santa Clara, Santa Cruz, and Monterey Counties

The anticipated impact of major flooding on the South Bay and North Central Coast:

- o Drinking water supplies severely threatened.
- o Extreme water conservation measures enacted.
- o Groundwater basins drawn dangerously down, potentially leading to contamination.
- o Agriculture and other industries with heavy water reliance threatened.
- o Transportation disruptions in Bay Area effect goods movement industry.
- o Greater taxpayer liability for flood-related damages.

Bond allocations:*

- o Santa Clara County would receive approximately \$125 million: Coyote/Berryessa Creek - \$12.5 million; Guadalupe River - \$26 million; Lower Llagas - \$200,000; Lower Silver Creek - \$22.3 million; San Francisquito Creek - \$5 million; Upper Guadalupe - \$36.5 million; Upper Llagas - \$22.6 million.
- o Santa Cruz County would receive approximately \$650,000: San Lorenzo River - \$650,000.

North Central Region

Butte, Colusa, Glenn, Lake, Plumas, Shasta, Solano, Sutter, Tehama, Yuba, and Yolo Counties

The anticipated impact of major flooding on the North Central Region:

- o Loss of life and property.
- o Damage to vital infrastructure including roads, schools, airports, railroads, water treatment and power facilities.
- o Disruption to businesses, loss of agricultural crops, and collapse of local economies.

Bond allocations:*

- o Levee and other flood protection projects in these counties would be eligible for funding as part of the \$3 billion allocated by the bond to improve state/federal project levees and flood systems, including projects to protect Yuba City, Marysville, Woodland, West Sacramento, Stockton, Lathrop, and numerous small towns.

Southern California

San Diego, Orange and Los Angeles Counties

The anticipated impact of major flooding on Southern California includes:

- o 40-50 percent of Los Angeles' drinking water comes from the Delta. A levee break would severely impact the region's drinking water supplies.
 - o Extreme water conservation measures enacted.
 - o Ground water basins drawn dangerously down, potentially leading to contamination.
 - o Agriculture and other industries with heavy water reliance threatened.
 - o Transportation disruptions in Bay Area would affect goods movement industry, impacting the Southern California economy.
- o Greater taxpayer liability for flood-related damages.

Bond allocations:*

- o San Diego County would receive approximately \$950,000 in directed funding for the San Luis Rey River and Sweetwater River, and would be eligible for its share of funding from the \$300 million for stormwater flood control projects.
- o Orange County would receive approximately \$185 million in directed funding for the Santa Ana River Mainstem and would be eligible for their share of funding from the \$300 million for stormwater flood control projects.
- o Los Angeles County would receive approximately \$10 million in directed funding for the Los Angeles County Drainage Area and would be eligible for its share of funding from the \$300 million for stormwater flood control projects.

Inland Empire

Riverside and San Bernardino Counties

The anticipated impact of major flooding on the Inland Empire:

- o Drinking water supplies severely threatened.
- o Extreme water conservation measures enacted.
- o Groundwater basins drawn dangerously down, potentially leading to contamination.
- o Agriculture and other industries with heavy water reliance threatened.
- o Transportation disruptions in Bay Area effect goods movement industry.
- o Greater taxpayer liability for flood-related damages.

Bond allocations:*

- o Riverside County would receive approximately \$12.9 million: Gunnerson Pond - \$1.5 million; Murrieta Creek - \$5.2 million; Norco Bluffs - \$3.5 million; Santa Ana River Mainstem - \$2 million; Lake Elsinore Outlet - \$700,000.
- o San Bernardino County would receive approximately \$6.1 million: